

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Moghe  
Serial Number: 10/780,252  
Filing Date: February 17, 2004  
Art Unit: 2134  
Examiner: Jung, David Yiuk  
For: **A method and apparatus to detect  
unauthorized information disclosure  
via content anomaly detection**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION REGARDING “NOTICE OF NON-COMPLIANT  
AMENDMENT”**

On July 11, 2008, the Office mailed a “Notice of Non-Compliant Amendment.” This Notice was inappropriate given the Office Rules and procedures and should be withdrawn.

In reviewing the Comments on the Continuation Sheet, it is clear that the Office is not objecting to the form or format of the Amendment submitted on April 10, 2008. In particular, the Office does not contend that the form of the claim amendments was improper; rather, the Examiner contends that the proposed amendments “seem unintended” or may be “mistakenly and incompletely typed.”

With all due respect, the Examiner’s position is incorrect. The claim amendments submitted in the paper were in the proper form and they were the amendments that the applicant intended to make.

While the undersigned appreciates the Examiner’s position as set forth in the Notice,

Notice, the Notice itself is improper, as the Amendment itself met all of the technical (i.e. formal) requirements of the Rule 121 and Office practice and procedure.

In particular, the Examiner's concerns regarding the paper appear to go to the substance of the amendments (namely, the merits) and, that being the case, a "Notice of Non-Compliant Amendment" was not the appropriate mechanism for raising these objections.

Of course, the undersigned stands ready to work with the Examiner concerning proposed claim amendments to avoid a final rejection or otherwise to place the case in condition for allowance.

**CONDITIONAL REQUEST FOR EXTENSION OF TIME**

As noted above, no fees are believed due for this paper, as the Notice was issued without cause.

Nevertheless, if a request for extension of time is due, please treat this paper as a request under 37 CFR 1.136(a) to extend the period for filing a reply up to December 11, 2008. Please charge any fee required (e.g., the four (4) month extension fee)) to Deposit Account No. 50-4001, although no fee should be due.

For the reasons stated, the Office is requested to withdraw the defective Notice of Non-Compliant Amendment.

Respectfully submitted,

/David H. Judson/

By:

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David H. Judson, Reg. No. 30,467

ATTORNEYS FOR APPLICANT